

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3624 of 2005

Between:

Nallabariki Appamma, Wife of Rambabu,
Kurmanadhapuram Village, Jalumuru Mandal, Srikakulam District.

..... PETITIONER

AND

- 1 The Joint Collector, Srikakulam, Srikakulam District.
- 2 The Revenue Divisional Officer, Tekkali, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ order or direction more particularly a Writ in the nature of Writ of Mandamus declaring the proceedings Rc.No. 2234/2004-A dated 21-10-2004 of the Revenue Divisional Officer, Tekkali, Srikakulam District, keeping the petitioner under suspension as illegal and arbitrary and consequently set aside the same.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

This Court at the stage of admission made the following:

ORDER:

This writ petition is filed being aggrieved by the proceedings in Rc.No.2234/2004-A, dated 21.10.2004, of the second respondent-

Revenue Divisional Officer, Tekkali, wherein the dealership of the petitioner in respect of the Fair Price Shop of Kurmanadhapuram Village, Jalumuru Mandal of Srikakulam District was suspended.

The case of the petitioner is that he was appointed as Fair Price Shop Dealer of Kurmanadhapuram Village, Jalumuru Mandal of Srikakulam District in the year 1995. While so, the second respondent suspended his dealership vide proceedings Rc.No.2234/2004-A, dated 21.10.2004, on certain allegations. Aggrieved by the said proceedings, he preferred an appeal before the first respondent along with an application to stay the operation of the order of the second respondent. The first respondent on 21.12.2004 rejected the stay application and remanded the matter to the second respondent with a direction to conduct the enquiry within a period of 30 days and dispose of the case as per law.

The matter had been adjourned on three occasions and today, even though the matter is listed under the caption of 'for orders' none appears for the petitioner. However, the grievance of the petitioner in the present writ petition is that though four months have lapsed after passing of the said order by the first respondent, till date no action has been taken by the respondents. Hence, instead of keeping the writ petition pending, I deem it appropriate to dispose of the same with a direction to the second respondent-The Revenue Divisional Officer, Tekkali of Srikakulam District to complete the enquiry and pass orders, in accordance with law, within a period of three weeks from the date of receipt of a copy of this order, if not already completed. On passing of such orders, if the petitioner is still aggrieved, he is at liberty to challenge the same before an appropriate forum. No order as to costs.

25.04.2005

dr/tvk

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To

- 1 The Joint Collector, Srikakulam, Srikakulam District.
- 2 The Revenue Divisional Officer, Tekkali, Srikakulam District.
- 3 2 CCs to Government Pleader for Civil Supplies,
High Court Buildings, Hyderabad. (OUT)
- 4 2 CD copies